

6384. Adulteration and misbranding of chloroform liniment. U. S. * * *
v. George B. Bury. Plea of guilty. Fine, \$20. (F. & D. No. 8460.
I. S. No. 2263-m.)

On November 13, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against George B. Bury, Washington, D. C., alleging that said defendant, on February 8, 1917, at the District aforesaid, in violation of the Food and Drugs Act, did offer for sale and sell a quantity of an article labeled in part, "Chloroform Liniment," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	32.9
Chloroform (cc per 1,000 cc)-----	231
or (minims per fluid ounce)-----	111
Camphor (grams per 1,000 cc)-----	26.3

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of the investigation of the article, in that in 1,000 mls of the article there were 231 mls of chloroform, whereas the said Pharmacopœia provides that in 1,000 mls of the article there shall be 300 mls of chloroform; and in that in 1,000 mls of the article there were 26.3 grams of camphor, whereas the said Pharmacopœia provides that in 1,000 mls of the article there shall be 700 mls of soap liniment and that in 700 mls of soap liniment there shall be 31.5 grams of camphor; and in that the article contained 32.9 per cent by volume of alcohol, whereas the said Pharmacopœia provides that chloroform liniment shall contain 47 per cent by volume of absolute alcohol; and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that the statement, to wit, "Chloroform 144 min. to each fl. oz. alcohol 48%," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each fluid ounce of the article contained 144 minims of chloroform and that the article contained 48 per cent of alcohol, whereas, in truth and in fact, each fluid ounce of the article did not contain 144 minims of chloroform and did not contain 48 per cent of alcohol, but contained less than 144 minims of chloroform in each fluid ounce and contained less than 49 [48] per cent of alcohol, to wit, 111 minims of chloroform to each fluid ounce and 32.9 per cent of alcohol; and for the further reason that it contained chloroform and alcohol and the label failed to bear a statement of the quantity or proportion of chloroform and alcohol contained therein.

On November 13, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

C. F. MARVIN, *Acting Secretary of Agriculture.*